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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 GRAHAM HETTINGER,
15 Defendant.

CASE NO. 2:21-CR-00215-JAM
STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER
DATE: November 8, 2022
TIME: 9:00 a.m.
COURT: Hon. John A. Mendez

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17 **STIPULATION**

18 Plaintiff United States of America, by and through its counsel of record, and defendant Graham
19 Hettinger, by and through his counsel of record, hereby stipulate as follows:

20 1. By previous order, this matter was set for status on November 8, 2022.

21 2. By this stipulation, the defendant now moves to continue the status conference until
22 February 7, 2023, at 9:00 a.m., and to exclude time between November 8, 2022, and February 7, 2023,
23 under Local Code T4.

24 3. The parties agree and stipulate, and request that the Court find the following:

25 a) The discovery associated with this case includes more than 600 pages of
26 documents, photographs, investigative reports, and other materials. All of this discovery has
27 either been produced directly to counsel or else made available for inspection and copying.

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1 b) Counsel for the defendant desires additional time to consult with his client, review
2 and copy discovery, collect and present information to the government regarding his client's
3 medical condition, and otherwise prepare for trial.

4 c) Counsel for the defendant believes that failure to grant the above-requested
5 continuance would deny him the reasonable time necessary for effective preparation, taking into
6 account the exercise of due diligence. Counsel for the defendant also believes that failure to
7 grant the above-requested continuance would deny the defendant continuity of counsel.

8 d) The government does not object to the continuance.

9 e) Based on the above-stated findings, the ends of justice served by continuing the
10 case as requested outweigh the interest of the public and the defendant in a trial within the
11 original date prescribed by the Speedy Trial Act.

12 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
13 et seq., within which trial must commence, the time period of November 8, 2022, to February 7,
14 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
15 T4] because it results from a continuance granted by the Court at the defendant's request on the
16 basis of the Court's finding that the ends of justice served by taking such action outweigh the
17 best interest of the public and the defendant in a speedy trial.

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1 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
2 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
3 must commence.

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5 IT IS SO STIPULATED.

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7 Dated: November 1, 2022

PHILLIP A. TALBERT
United States Attorney

9 _____
10 /s/ SAM STEFANKI
11 SAM STEFANKI
12 Assistant United States Attorney

13 Dated: November 1, 2022

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15 /s/ PATRICK HANLY
16 PATRICK HANLY
17 Counsel for Defendant
18 GRAHAM HETTINGER

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20 **ORDER**

21 IT IS SO FOUND AND ORDERED this 2th day of November, 2022.

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24 /s/ John A. Mendez
25 THE HONORABLE JOHN A. MENDEZ
26 SENIOR UNITED STATES DISTRICT JUDGE